

REMARKS

Claims 12-16, 18-24 and 76 have been amended. Claims 17, 44, 57, 58, 60, 78, 86, 88-91 and 93-106 have been canceled without prejudice. Claims 1-16, 18-43, 45-56, 59, 61-77, 79, 80, 83-85, 87 and 92 are now pending for the Examiner's consideration.

Claims 12-16 and 18-24 have been amended to clarify that the recited amounts refer to the indolinone or pharmaceutically acceptable salt thereof, and are supported in the specification as filed at, for example, paragraph 138 (pages 79-80). Claim 76 has been amended to insert an inadvertently omitted reference numeral. No new matter is added.

Claims 17, 44 and 86 are duplicates of claims 13, 40 and 84, respectively, and have been canceled. Claim 57 did not further limit claim 1 and has been canceled. Claims 58, 60, 78, 88 and 89 did not properly depend from claim 1 (see recited ranges of lubricant) and have been canceled without prejudice to Applicant's right to present these claims at a later time. Claims 90, 91 and 93-106 were previously withdrawn (but still pending) and have now been canceled.

Applicants respectfully request favorable consideration of the pending claims.

Claims 1-89 and 92 were subject to an election of species requirement. Applicants elect the species of claim 4 as the indolinone compound, mannitol as the diluent, croscarmellose sodium as the disintegrant, polyvinylpyrrolidone (povidone) as the binder, and magnesium stearate as the lubricant, in the amounts as shown in the table in Example 3 (page 97). The currently pending claims that read on the elected species are claims 1, 2, 4, 8-16, 18-27, 29-43, 45-56, 59, 61-72, 74-77, 79, 80, 83-85, 87 and 92.

In response to the Examiner's remarks regarding the optical clarity of the claims, Applicants believe the claim set submitted in this response will eliminate any lack of optical clarity in the chemical structures.

Applicants believe all claims are now in condition for allowance. Should there be any issues that have not been addressed to the Examiners satisfaction, Applicants invite the Examiner to contact the undersigned attorney.

If any fees other than those submitted herewith are due in connection with this response, including the fee for any required extension of time (for which Applicants hereby petition), please charge such fees to Deposit Account No. 500329.

Respectfully submitted,

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